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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,199	03/31/2004	David John Copeland	00565-069001	7509
26181	7590	05/29/2007		
FISH & RICHARDSON P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER WALTERS, JOHN DANIEL	
			ART UNIT	PAPER NUMBER
			3618	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/816,199

Applicant(s)

COPELAND ET AL.

Examiner

John D. Walters

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-9 and 12-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15 is/are allowed.
- 6) ☒ Claim(s) 1,4-9 and 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1, 4 – 9 and 12 – 15 have been examined. Claims 2, 3, 10, 11, and 16 – 20 have been canceled by Applicant.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 5, 7 – 9, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kozlowski (6,218,796) in view of Andis et al (6,112,414). Kozlowski discloses a storage cart for rechargeable devices comprising:

- a base and a top (Fig. 1);
- wherein said base and top are generally rectangular (Fig. 1);
- at least two sidewalls (Fig. 1);
- a plurality of receptacles (Figs. 1 and 2);
- said receptacles comprising an opening and at least four sidewalls defining an interior region (Fig. 1);
- a movable sidewall substantially perpendicular to said base and said top (Fig. 1, item 14);
- a plurality of electrical receptacles being configured to receive electrical plugs (Fig. 1, items 32 and 34);

- a plurality of charging devices (Fig. 2, items 24 and 84);
- said charging device comprising a plurality of AC adapters (Fig. 2, item 24);
- an electrical cord (Fig. 1, item 28);
- one or more wheels (Fig. 1, item 44);
- a plurality of interior electrical receptacles (Fig. 1, item 32).

Kozlowski does not disclose a docking station style connection for rechargeable devices. Andis, however, discloses a rechargeable hair clipper assembly comprising:

- a docking station (Figs. 9 and 10, item 223);
- one or more indicators comprising a light emitting diode (column 15, lines 41 – 43);
- wherein said charging devices are configured to determine whether a rechargeable battery is fully charged and charge said battery based on said determination (column 15, line 60 to column 16, line 37).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine the docking station of Andis with the storage cart of Kozlowski in order to provide a quickly coupled connection between said cart and the devices being recharged within said cart.

In regards to claim 1, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to array multiple columns of receptacles, thus forming rows, in order to provide additional storage without increasing overall height of said cart. An increase in height would cause the center of gravity of said cart to rise, increasing the difficulty of pushing said cart as well as increasing the inclination for tipping.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozlowski (6,218,796) in view of Andis et al (6,112,414) as applied to claims 1, 4, 7 – 9, 12 and 13 above, and further in view of Pena (5,723,815). Kozlowski in view of Andis does not disclose a cord reeling mechanism. Pena, however, discloses a retractable electrical extension cord comprising:

- a cord retractor configured to retract and house the electrical cord (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine the cord retractor of Pena with the storage cart of Kozlowski in view of Andis in order to provide an extendable and retractable electrical cord which stores away safely and in an untangled state when said cart is moved.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozlowski (6,218,796) in view of Andis et al (6,112,414) as applied to claims 1, 4, 7 – 9, 12 and 13 above, and further in view of Mitten (2,625,455). Kozlowski in view of Andis does not disclose the use of drawers for storage of recharging devices. Mitten, however, discloses a chest of drawers comprising:

- drawers positioned between said top and base (Fig. 1);
- wherein said drawers are slidable in a plane parallel to said base and said top (Fig. 5).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine the drawer structure of Mitten with the storage cart of

Kozlowski in view of Andis in order to provide quick and unobstructed access to recharging devices.

Allowable Subject Matter

Claim 15 is allowed.

Response to Arguments

Applicant's arguments filed 28 February 2007 have been fully considered but they are not persuasive.

Applicant states, "Kozlowski and Andis do not teach receptacles arranged side by side one another or docking stations configures to receive battery-powered microscopes...no motivation for forming a plurality of receptacles that are arranged side by side on another in the same horizontal layer."

Motivation is provided in the rejection that the Office believes to be sufficient and appropriate for such a combination to be obvious to one of ordinary skill in the art. Additionally, duplication of parts, i.e. a second column of receptacles next to a first column of receptacles, has been held to only involve routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Applicant also states, "Combining Andis with Kozlowski would result in a cart with a number of battery chargers for rechargeable battery-operated hair clippers 13, which does not meet the limitations of claim 1."

Applicant's recitation of "configured to receive battery-powered microscopes" is considered an indication of intended use. Andis is not used as a teaching for the physical structure of a docking station, as Applicant makes no mention of any actual physical structure or configuration of the docking station limitation. Andis is provided as evidence that it is old and well known to provide docking stations for battery-powered items. A wide range of electrical devices such as personal entertainment devices, personal communications devices and power tools make use of docking stations. One of ordinary skill in the art would have knowledge of such recharging means and, thus, its inclusion would be obvious in a device intended to house and recharge any category of such electrical devices.

Applicant reiterates the accusation that the Examiner is using hindsight improperly. This was addressed the previous Office Action. The Office continues to believe that the above rejection are proper.

For these reasons, the rejections stand.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Nelms et al. (2,375,866) discloses a battery charging rack;
- Madison et al. (6,008,621) discloses a portable computer charging system and storage cart;

- Fields (6,769,991) discloses an electronic game pack system;
- Wixted et al. (2003/0141687) discloses a computer storage cart.

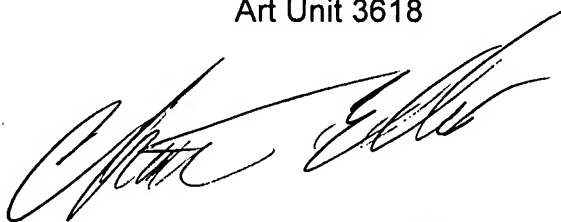
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John D. Walters whose telephone number is (571) 272-8269. The examiner can normally be reached on Monday - Friday, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John D. Walters
Examiner
Art Unit 3618

JDW

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